IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Bail Appl..No. 1359 of 2007()

Crime No.100/2007 of Chavara Police Station

: PETITIONERS/ACCUSED:

---

1. PRADEEP, AGED 24 YEARS,
   THUPPASSERIL COLONY, MENAMPALLY MURI,
   CHAVARA VILLAGE.

2. SYAM, AGED 19 YEARS,
   SYAM NIVAS, MENAMPALLY MURI,
   CHAVARA VILLAGE.

3. SIBU, AGED 22 YEARS, SYAM NIVAS,
   MENAMPILLY MURI.

4. JOSEPH, AGED 48 YEARS,
   SYAM NIVAS, MENAMPALLY MURI, CHAVARA VILLAGE,
   KARUNAGAPPALLY TALUK,
   KOLLAM DISTRICT.

BY ADV. SRI.SOORANAD S.SREEKUMAR

RESPONDENTS: COMPLAINANT:

---

1. THE SUB INSPECTOR OF POLICE,
   CHAVARA POLICE STATION, KOLLAM.

2. STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1359 OF 2007

Dated this the 13th day of March, 2007

O R D E R

Petitioners, who were accused Nos.1 to 4 in Crime No.100/2007 of Chavara Police Station for offences punishable under sections 323, 294(b) and 326 read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place at about 9.30 p.m. on 13.2.2007 when the de facto complainant was assaulted with deadly weapons like sword, etc. He has sustained injuries including fracture.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail considered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 19.3.2007 and 21.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall release accused Nos.2 to 4 on bail on appropriate conditions. With regard to the first

accused, the Magistrate shall consider and dispose of his application for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

aks